

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>DONNIE TALLEY,</b>	<b>:</b>	<b>CIVIL NO. 1:16-CV-2459</b>
	<b>:</b>	
<b>Petitioner</b>	<b>:</b>	<b>(Chief Judge Conner)</b>
	<b>:</b>	
<b>v.</b>	<b>:</b>	
	<b>:</b>	
<b>MICHAEL OVERMYER, et al.,</b>	<b>:</b>	
	<b>:</b>	
<b>Respondents</b>	<b>:</b>	

**ORDER**

AND NOW, this 7th day of November, 2018, upon consideration of the petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 (Doc. 1), wherein petitioner, Donnie Talley, alleged that the Pennsylvania Board of Probation and Parole impermissibly recalculated his maximum sentence date as March 12, 2018, and sought immediate release from custody, and this court, in an effort to ascertain the custodial status of petitioner, accessed the Vinelink online inmate locator, which revealed that petitioner has been released from custody<sup>1</sup>, and has served the maximum term of his sentence (see Doc. 22), which renders the petition moot, see DeFoy v. McCullough, 393 F.3d 439, 441 (3d Cir. 2005) (citing Lane v. Williams, 455 U.S. 624, 631 (1982)) ("[A] petition for habeas corpus relief generally becomes moot when a prisoner is released from custody before the court has addressed the merits

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<sup>1</sup> Upon entering petitioner's offender identification number, GH7842, into the Vinelink online inmate locator system, <https://www.vinelink.com/#/search>, his status was returned as follows:

Offender Name: Talley, Donald D  
Custody Status: Out of Custody

of the petition.”); Khodara Env'tl., Inc. ex rel. Eagle Env'tl., L.P. v. Beckman, 237 F.3d 186, 192-93 (3d Cir. 2001) (“Article III of the Constitution grants the federal courts the power to adjudicate only actual, ongoing cases or controversies.”); Blanciak v. Allegheny Ludlum Corp., 77 F.3d 690, 698-99 (3d Cir. 1996) (“If developments occur during the course of adjudication that eliminate a plaintiff's personal stake in the outcome of a suit or prevent a court from being able to grant the requested relief, the case must be dismissed as moot.”), it is hereby ORDERED that:

1. The petition for writ of habeas corpus (Doc. 1) is DISMISSED as moot.
2. The Clerk of Court is directed to CLOSE this case.

/S/ CHRISTOPHER C. CONNER  
Christopher C. Conner, Chief Judge  
United States District Court  
Middle District of Pennsylvania